

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ DEC 23 2009 *new*
TIME ~~9:00~~ P.M. ~~9:00~~ A.M.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JOHN RIVERA,

X

Petitioner,

JUDGMENT
05-CV- 1699 (SLT)

-against-

ANDREW CUOMO, NEW YORK STATE
ATTORNEY GENERAL, and JOSEPH
SMITH, SUPERINTENDENT, SHAWANGUNK
CORRECTIONAL FACILITY,

Respondents.

X

A Memorandum and Order of Honorable Sandra L. Townes, United States District Judge, having been filed on December 21, 2009, denying the petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254; dismissing the case; and ordering that no Certificate of Appealability is granted with respect to any of petitioner's claim; it is

ORDERED and ADJUDGED that petitioner take nothing of the respondents; that the petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 is denied; that the case is dismissed; and that no Certificate of Appealability is granted with respect to any of petitioner's claim.

Dated: Brooklyn, New York
December 22, 2009

ROBERT C. HEINEMANN
Clerk of Court

John